

OGC-79-01253
6 Feb 79

S E C R E T

5 February 1979

MEMORANDUM FOR THE RECORD

SUBJECT: U.S. v. Tscherim Soobzokov

1. This memorandum is to record a series of exchanges with members of the office of the Assistant United States Attorney for the Southern District of New York. On 26 January 1979, Mr. Reuben Fier telephoned DCD [] and requested that the pictures of Soobzokov which we had extracted from the original Soobzokov documentation provided to us by Soobzokov be made available to the AUSA for identification of possible witnesses in the Soobzokov criminal prosecution. []
[] Administrative Assistant, NYFO, deferred Mr. Fier's request until she could check with the undersigned. We had told [] previously that she was to refer all inquiries on the Soobzokov material to the undersigned before any further action inasmuch as Mr. Martin Mendelsohn, Chief, Special Litigation Unit, had indicated that Mr. Fier and AUSA Jerry Siegel were no longer concerned with the case.

2. On 31 January 1979, after the undersigned returned from TDY in California, Mr. Fier followed up his NYFO request and telephoned the undersigned for copies of the pictures. We told him that we had understood no further material was to be made available to his office without the concurrence of Mr. Mendelsohn in Washington. The same day, AUSA Siegel followed up Mr. Fier's call, and was given the same response. I then notified Mr. Mendelsohn who advised that a copy of a letter from the U.S. Attorney to Mr. Mendelsohn was being made available to this Agency. According to Mr. Mendelsohn, the letter states that the Grand Jury has been discharged, there is to be no further criminal investigation and that any further civil action (denaturalization and/or deportation) is to be transferred to AUSA Thomas Belotte under the supervision of Mr. Mendelsohn.

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CENTRAL INTELLIGENCE AGENCY
SOURCE METHOD EXEMPTION 3B2B
NAZI WAR CRIMES DISCLOSURE ACT
DATE 2007

DECLASSIFIED BY []
[] DECLASSIFIED ON 5 Feb 99
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FOR COORDINATION WITH

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3. Copies of the exchange of letters between Mr. Mendelsohn and the U.S. Attorney, Robert B. Fische, Jr., on this subject are attached.

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Atts

C/PCS/LB: 7 7:kaj (1542)

Distribution

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S E C R E T

United States Department of Justice

UNITED STATES ATTORNEY

SOUTHERN DISTRICT OF NEW YORK

ONE ST. ANDREW'S PLAZA

NEW YORK, NEW YORK 10007

ADDRESS ONLY TO
UNITED STATES ATTORNEY
AND REFER TO
FILE AND NUMBER

BF, Jr.:mc

January 10, 1979

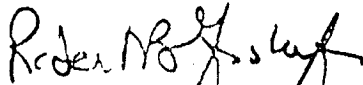
Martin Mendelsohn, Esq.
Chief, Special Litigation Unit
Department of Justice
Washington, D.C. 20530

Dear Mr. Mendelsohn:

In response to your letter of January 5, this is to confirm that there is no current grand jury proceeding against Tscherim Soobzokov in this District. The investigation which had been commenced earlier has since been terminated.

We will not make available to Mr. Belote any of the grand jury information. If at some later date you determine that you wish to make a request for such information, I would appreciate it if you would let me know before doing so.

Sincerely yours,



ROBERT B. FLSKE, JR.
United States Attorney

UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D.C. 20530

JAN 5 1978

cc: Reply to the
vision indicated
to Initials and Number

Mr. Robert Fiske
U.S. Attorney
Southern District of New York
One St. Andrews Plaza
New York, NY 10007

Dear Mr. Fiske:

This confirms our conversation of January 4, 1979 that the Special Litigation Unit will assume responsibility for the investigation and possible prosecution of Tscherim Soobzokov.

Thomas H. Belote, a Special Assistant U.S. Attorney in the Southern District will be principally involved with the case. Mr. Belote has not seen and, at this point, will not request access to any grand jury that may involve Soobzokov. Should our examination of the non grand jury material lead us to conclude that some grand jury material may be relevant, we may seek its disclosure under Rule 6(e) of the Federal Rules of Criminal Procedure. (Though we believe we are entitled to the material as a matter of right under the recent 5th Circuit holding, In re Grand Jury, 583 F. 2d 128 (1978).) We will, of course, consult with you before making any formal request. If necessary I will assume personal responsibility for examination of any grand jury material.

My understanding in accepting this case is that there is no current grand jury proceeding against Soobzokov in the Southern District and that the Special Litigation Unit will be the only component of the Department of Justice looking at Soobzokov's activities.

Sincerely,



Martin Mendelsohn
Chief, Special Litigation Unit

JAN 8 1978